

# YOUTH SERVICES POLICY

<b>Title:</b> Probation and Parole Violations <b>Next Annual Review Date:</b> 09/28/2011	<b>Type:</b> D. Community Based Services <b>Sub Type:</b> 10. Supervision <b>Number:</b> D.10.17
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<b>References:</b> La. Children's Code, Art. 913, YS Policy B.2.1 "Assignment, Reassignment, Release and Discharge of Youth"; ACA Standards 2-7153, 2-7154, 2-7155, 2-7156, 2-7157, 2-7158, 2-7159 (Juvenile Probation and Aftercare Services)	
<b>STATUS: Approved</b>	
<b>Approved By:</b> <i>Dr. Mary L. Livers, Deputy Secretary</i>	<b>Date of Approval:</b> 09/28/2010

## I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

## II. PURPOSE:

To establish the Deputy Secretary's policy regarding proper reporting of probation and parole violations.

## III. APPLICABILITY:

The Deputy Assistant Secretary - Community Based Services, all Regional Managers, and all employees of Community-Based Services (CBS).

## IV. POLICY:

In order to protect public safety and maintain respect for the court, all arrest reports and violations of the court's imposed conditions of supervision shall be investigated immediately.

Violations based on an alleged delinquent act should be referred to the District Attorney in the parish in which the act occurred, unless YS has been authorized to conduct intake screening, in which case the youth shall be interviewed and a recommendation shall be made to the District Attorney.

Each court in the Region should be contacted by the Regional Manager, or designee, to determine how it wishes YS to handle technical violations such as curfew, truancy, school related discipline problems, positive drug screens, associating with other delinquents, failure to report when ordered and similar court ordered conditions of supervision.

**V. PROCEDURES:**

- A. When an officer is advised of the arrest or alleged probation violation by a youth, he will investigate the alleged act as soon as possible. The results of the investigation will be reviewed with his supervisor. Should the supervising officer be unavailable, another officer or the supervisor may be assigned to investigate the violation.
- B. The nature of the violation and the results of the investigation will be entered into the case record and JETS. Following a staffing between, at minimum, the supervising officer, supervisor and independent party (another officer, supervisor, or regional social services counselor), deliberate technical violations should always be reported to the court with a recommendation as to whether further court action is necessary.
- C. Any recommendation for the removal of a youth from his home, based on technical violations, shall be in accordance with YS Policy B.2.1. All revocation hearings shall be conducted in accordance with Article 913 of the La. Children's Code which requires the following actions:
  - 1. That a motion for revocation be filed, stating the basis for the revocation;
  - 2. The youth and parents are given a copy of the motion; and
  - 3. At the revocation hearing, the officer shall be available to testify and to make a recommendation. If the supervising officer is not available, the Regional Manager shall be notified to determine proper court notification or replacement.

**Previous Regulation/Policy Number:** DYS 10.17

**Previous Effective Date:** 04/24/95

**Attachments/References:**